<center>REMARKS</center>

This application has been reviewed in light of the Office Action dated July 18, 2007. Claims 1-26 and 28-31 are pending in this application. Claims 1-26 have been amended to define more clearly what Applicants regard as their invention. Claim 27 has been canceled without prejudice or disclaimer of subject matter, and will not be mentioned further. Claims 28-31 have been added to assure Applicants of a full measure of protection. Claims 1, 13, 14, 26 and 28-31 are in independent form. Favorable reconsideration is respectfully requested.

In the outstanding Office Action, Figs. 1-3 were objected to for lacking a legend indicating that these figures are prior art. Replacement sheets are in preparation and will be submitted shortly.

Claims 1-26 were rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. In particular, Claims 1, 13, 14 and 26 were rejected because the phrase "...managing communication between devices...", was deemed by the Examiner not to define a tangible result. Applicants do not agree with the Examiner's analysis and conclusions, and respectfully traverse this rejection, for the following reasons.

Applicants note that the MPEP provides, in this regard:

> "Computer programs are often recited as part of a claim. USPTO personnel should determine whether the computer program is being claimed as part of an otherwise statutory manufacture or machine. In such a case, the claim remains statutory irrespective of the fact that a computer program is included in the claim. *The same result occurs when a computer program is used in a computerized process where the computer executes the instructions set forth in the computer program.* Only when the claimed invention taken as a whole is directed to a *mere program listing*, i.e., to only its description or expression, is it descriptive material *per se* and hence nonstatutory.

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Since a computer program is merely a set of instructions capable of being executed by a computer, the computer program itself is not a process and USPTO personnel should treat a claim for a computer program, without the computer-readable medium needed to realize the computer program's functionality, as nonstatutory functional descriptive material. *When a computer program is claimed in a process where the computer is executing the computer program's instructions, USPTO personnel should treat the claim as a process claim.* See paragraph IV.B.2(b), below. *When a computer program is recited in conjunction with a physical structure, such as a computer memory, USPTO personnel should treat the claim as a product claim.* See paragraph IV.B.2(a), below. [Emphases added]" MPEP § 2106.01.

Applicants note that Claims 1 and 13, directed to methods, state that the claimed methods are computer-implemented. Claims 30 and 31 are not directed to programs as such, but to tangible products, namely computer-readable media that store programs. Applicants believe that that second quoted paragraph of MPEP § 2106.01 makes clear that these claims are statutory. Moreover, the other independent claims are each directed to a gateway, and each recite that the claimed gateway is computer-implemented. Thus, these claims also are believed to be clearly statutory.

Accordingly, Applicants respectfully request withdrawal of the rejection under Section 101.

Claims 1-26 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Pub. No. 2005/0078679 A1 (Henry et al.).

By way of background, Applicants note that HAVi is an interoperability standard that allows high-level communications (interoperability) between devices as long as the devices belong to the same network (IEEE 1394). The present invention addresses the problem of how to allow a HAVi device to communicate with a second device located in a second network.

In the aspect of the present invention set out in independent Claim 1, this problem is solved by determining a global unique identifier for each device from the second network, determining an IEEE 1394 address for each device from the second network, and representing each device from the second network by a HAVi compliant software element hosted by a gateway. Communication between the devices can be managed by using, for each device on the second network, a corresponding software element associated with the global unique identifier and the IEEE 1394 address.

More specifically, independent Claim 1 is directed to a method of interconnection, through a gateway, between a first network of type IEEE 1394 enabling communications between a plurality of HAVi compliant devices and a second network enabling communications between a plurality of devices, which method comprises, <u>for each device from the second network,</u> a) determining a distinct global unique identifier, b) determining a distinct IEEE 1394 address, and c) representing the device from the second network by a HAVI compliant software element associated with the determined global unique identifier and the determined IEEE 1394 address, which software element is hosted by the gateway. The method also comprises managing communication between a device from the first network and a device from the second network using the device from the second network's corresponding software element.

Henry '679 relates to a HAVi UPnP bridge, which allows communication between an HAVi network and a UPnP network. In order to establish communication with a first device on the HAVi network from the UPnP network, it is necessary to use the global unique identifier (GUID) of the bridge. As explained in paragraph 69 Device

control modules (DCMs) representing UPnP devices do not have their own GUID identifier. The reason for this is explained in paragraph 68. The Target ID of a communication need to contain the GUID of the bridge because the stream has to go through the bridge. The corresponding software elements in the bridge will find the final destination address. The bridge should also have a valid IEEE 1394 address.

Claim 1 is not taught or suggested by *Henry '679*, because, to begin with, that document does not disclose determining a distinct global unique identifier for each device in the second network, as recited in Claim 1. In contrast, *Henry '679* uses the GUID <u>of the bridge</u> for communication to devices on the HAVi network.

Moreover, nothing has been found in *Henry '679* that would teach or suggest determining a distinct IEEE 1394 address for each device from the second network, as is also recited in Claim 1. In paragraph 8 of the Office Action, the Examiner appears to identify DCM_Proxy and FCM_Proxy for use in this step. However, DCM_Proxy and FCM_Proxy are <u>not</u> IEEE 1394 addresses,[1] but software elements, as indicated in paragraph 75 of *Henry '679*, taking five different values for the software element type (DCM_xx, and FCM_xx).

Third, nothing has been found in *Henry '679* that would teach or suggest the final step of Claim 1: according to that claim, there is used, <u>for each device from the second network</u>, the corresponding software element associated with the global unique identifier and IEEE 1394 address. This feature is not hinted at by anything in *Henry '679*.

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[1] Nor addresses compliant with a first serial bus network as referred to in Claims 13, 26 and 29.

For all these reasons, it is believed to be clear that Claim 1 is allowable over *Henry '679*.

Independent Claims 13, 14, 26 and 28-31 each contain recitations like those discussed above with regard to Claim 1, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 1.

A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration or reconsideration, as the case may be, of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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